

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 19, 1946
11:00 A.M.

Council Chamber, City Hall

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The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilman Glass, Mayor Miller, Councilmen Thornberry and
Wolf - 4

Absent : Councilman Bartholomew - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

CARL STERZING came before the Council relative to a drainage problem at his property on Le Grande Avenue in Fairview Park, and requested that the City build a storm sewer there to relieve the condition, claiming that it had a moral obligation to do so to compensate him for a sanitary sewer line laid across said property several years ago for which no easement of record was obtained. He was advised that when said sewer line was laid some thirty, or more, years ago, it was not always customary for the City to obtain written easements, and to grant his request now would be setting a precedent in such matters. After considerable discussion, the Mayor proposed to Mr. Sterzing that as an equitable settlement of the matter, he buy the pipe for the storm sewer, through the City, and the City pay for the labor of installing same. Mr. Sterzing then asked for time to consider such proposal before acceptance of same, and the request was granted.

CARL STERZING further asked that his request for a street light heretofore made be granted; and he was advised that owing to the inability of the City to obtain the necessary equipment, the City was unable to grant may such requests at this time.

The application of Sam R. LaGrone, et al, for a change in zoning, from "B" Residence District to "C" Commercial District, of the property in the 1200 block and the 1300 block of West Sixth Street, south side, was received. Councilman Thornberry moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The following applications for private boat licenses, duly approved by the Navigation Board, were submitted:

<u>Owner</u>	<u>Description</u>
Grover, C. H., SMAAF, San Marcos, Texas	Dunphy, 1946 Model, Outboard, Mercury, 2-passenger
Foster, W. D., 205 West 14th Street	Speed Liner, Outboard, 1946 Model, Kalie, 5-passenger
Gustafson, Wilbur, M. 903 Josephine St	Home-made, Fishing Boat, 3-passenger

Councilman Glass moved that the licenses be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of JAMES MONROE COCKER, 4903 Lynnwood Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of NATHAN JACOB GEIERING, 710 West 22¹/₂ Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of VIVIAN B. FALLWELL, 300 Congress Avenue, for a license to operate as a taxicab a 4-door Dodge Sedan, 1940 Model, Serial No. 4349642, Motor No. D 14-5166, State License No. FU-8739, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of LONGHORN TAVERN, 3508 Guadalupe Street, by Anthony Daywood, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion

carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of THE GREEN SPOT, 1511 East 6th and 512 Comal Streets, (same building) by Mrs. Mary D. Carlin, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The application of SOUTHERN CAFE, 213 $\frac{1}{2}$ Congress Avenue, by Mark DeBakey, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The City Manager submitted bids received for the concessions at Deep Eddy and Zilker Springs. After a discussion of the matter, Councilman Thornberry moved that the City Manager be instructed to call for a re-submission of bids, with a guaranty clause, percentage basis, and list of prices, the City reserving the right to accept the best bid. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The City Manager submitted an application of R. E. Janes for permission to build a bridge across the Colorado River. Councilman Thornberry moved that the City Manager, the City Attorney, the Director of Public Utilities, and the Director of Public Works be instructed to look into the matter and if an amicable agreement can be reached properly safeguarding the City's interests, the Council will approved it; otherwise, it will not. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

The City Manager submitted an offer of Mrs. Leola Price to sell the City, for right-of-way purposes, part of Lot 1, Block k, Eden Acres, Outlot 18, Division "A", being 110x130 feet at the corner of Tillery and Gonzales Streets, for a consideration of \$1,000.00. Councilman Wolf moved that the City Manager be instructed to accept the offer. The motion carried by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

ELGIN BOW WILLIAMS, Insurance Agent, came before the Council and suggested that as a means of increasing the revenue of the City, the insurance agencies of the City be taxed a small fee. The matter was taken under consideration.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, City of Austin taxes for the years 1933 through 1945 were assessed in the name of Mrs. Julia Welbers on E. 15' of Lot 28 and all of Lot 29, O. L. 33, Division O, Canterbury Square, in the City of Austin, Travis County, Texas; said taxes for said years being in the amount of \$509.64, and for non-payment of same at maturity, penalty in the sum of \$25.48 has been assessed, and interest in the amount of \$201.16 has accrued, making the total amount of taxes, penalty and interest due \$736.28; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$25.48, and one-half of the interest in the sum of \$100.58; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the aforesaid penalty in the sum of \$25.48 and one-half of the interest in the sum of \$100.58 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$25.48 and said interest in the sum of \$100.58 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of the taxes and one-half of the interest as aforesaid.

The foregoing resolution was adopted by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

There being no further business, upon motion of Councilman Thornberry, the meeting was recessed at 11:35 A. M., subject to call of the Mayor, by the following vote:

Ayes : Councilman Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Bartholomew

Approved:

Tom Miller

MAYOR

Attest:

William M. Miller

City Clerk